

**FILED****1/30/2025**THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURTUNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

EDWIN MIGUEL BATISTA

CASE NUMBER: 1:25-cr-00065

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about November 12, 2024, at Chicago, in the Northern District of Illinois, Eastern Division, and elsewhere, the defendant(s) violated:

*Code Section*Title 21, United States Code, Section  
841(a)(1)*Offense Description*

knowingly and intentionally distributing a controlled substance, namely, 40 grams or more of a substance containing a detectable amount of fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propenamide), a Schedule II Controlled Substance

This criminal complaint is based upon these facts:

X Continued on the attached sheet.*Chevon Marsh*

CHEVON MARSH

Task Force Officer, Drug Enforcement  
Administration (DEA)

Pursuant to Fed. R. Crim. P. 4.1, this Complaint is presented by reliable electronic means. The above-named agent provided a sworn statement attesting to the truth of the Complaint and Affidavit by telephone.

Date: January 30, 2025*Heather K. McShain**Judge's signature*City and state: Chicago, IllinoisHeather K. McShain, U.S. Magistrate Judge*Printed name and title*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

**AFFIDAVIT**

I, CHEVON MARSH, being duly sworn, state as follows:

1. I am a Task Force Officer with the Drug Enforcement Administration (“DEA”) and have been so employed since June 2018. My current responsibilities include the investigation of narcotics trafficking offenses.

2. This affidavit is submitted in support of a criminal complaint alleging that EDWIN MIGUEL BATISTA has violated Title 21, United States Code, Section 841(a)(1). Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging BATISTA with distribution of narcotics, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendant committed the offense alleged in the complaint.

3. This affidavit is based on my personal knowledge, information provided to me by other law enforcement agents, my experience and training, and the experience and training of other agents.

4. Based on the facts set forth in this affidavit, there is probable cause to believe that on November 12, 2024, BASTISTA knowingly and intentionally distributed a quantity of a mixture and substance containing a detectable amount of fentanyl (N-penyl-N-[1-(2-phenylethyl)-4-piperidinyl] propenamide), a Schedule II

Controlled Substance, in violation of 21 U.S.C. § 841(a)(1).fentanyl, in violation of Title 21, United States Code, Section 841(a)(1).

## **I. NOTE ON STATUTORY BACKGROUND**

5. The Ryan Haight Online Pharmacy Consumer Protection Act of 2008, codified at Title 21, United States Code, Section 829 (the “Ryan Haight Act”), amended the federal Controlled Substances Act to regulate online pharmacies. The Ryan Haight Act states that no controlled substance that is a prescription drug as determined by the Federal Food, Drug and Cosmetic Act (see 21 U.S.C. §§ 301 et seq.) may be delivered, distributed, or dispensed on the internet without a valid prescription, as required by Title 21, Code of Federal Regulations, Section 1306.09(a). See 21 U.S.C. §§ 829(e), 841(a)(1), 841(h), 843(c)(2)(A).

6. According to the Ryan Haight Act, the term “valid prescription” means a prescription that is issued for a legitimate medical purpose in the usual course of professional practice by a practitioner who has conducted at least one in-person medical evaluation of the patient or a covering practitioner. The term “in-person medical evaluation” means a medical evaluation that is conducted with the patient in the physical presence of the practitioner, without regard to whether portions of the evaluation are conducted by other health professionals. The term “covering practitioner” means, with respect to the patient, a practitioner who conducts a medical evaluation (other than an in-person medical evaluation) at the request of a practitioner who has conducted at least one in-person medical evaluation of the patient or an evaluation of the patient through the practice of telemedicine within

the previous 24 months and is temporarily unavailable to conduct the evaluation of the patient.

7. The Ryan Haight Act also added new provisions to prevent the illegal distribution of controlled substances on the internet, including registration requirements of online pharmacies, internet pharmacy website disclosure information requirements, and prescription reporting requirements for online pharmacies. See 21 C.F.R. § 1301.11(b).

8. According to DEA records, the online websites [www.healthcareshopy.com](http://www.healthcareshopy.com) (“Healthcareshopy”), [www.acetaminophenbutalbital.com](http://www.acetaminophenbutalbital.com) (“Acetaminophenbutalbital”), and [www.buyfioricetnow.com](http://www.buyfioricetnow.com) (“BuyFioricetNow”) the primary targets of this investigation, are not a registered online pharmacy and do not comply with the mandates of the Ryan Haight Act.

## **II. FACTS IN SUPPORT OF PROBABLE CAUSE**

### ***Background***

9. In or around October 2024, law enforcement, including DEA, began investigating a series of internet pharmacies which sold controlled and non-controlled pharmaceuticals without requiring a prescription, a violation of the Ryan Haight Act, and a violation of 21 U.S.C. § 841(a)(1), among other provisions of the Controlled Substances Act. As part of its investigation, DEA began monitoring the online websites HealthcareShopy, Acetaminophenbutalbital, and BuyFioricetNow (collectively the “Target Websites”).

10. Based on my experiences in this investigation, which include conducting undercover controlled purchases and interviewing witnesses, I know that customers of the Target Websites place orders for the pharmaceuticals on the Target Websites and are contacted by a representative of the Target Websites through phone or email to complete the order and provide payment options. After payment is received, the pharmaceuticals are shipped utilizing the U.S. mail and parcel delivery systems. Subsequent orders for pharmaceuticals are typically made directly with the representative through phone or email.

11. As detailed below, on three occasions between October 2024 and November 2024, a DEA undercover agent (the “UC”) made controlled purchases from representatives of the Target Websites. Thereafter, BATISTA mailed parcels that contained fake oxycodone pills with stamped markings to an undercover law enforcement mailing address in Chicago (the “UC Address”). One of these parcels, which was received at the UC Address on November 12, 2024, contained hundreds of pills that tested positive for the presence of fentanyl.

**a. October 30, 2024, BATISTA Distributed Approximately 9 Grams of Ketamine to the UC**

12. According to the UC, on or about October 21, 2024, the UC placed an order for 90 Oxycodone pills via a Target Website (Acetaminophenbutalbital). After the UC placed the order, the UC communicated via e-mail with Representative 1 to complete the order and provided the UC Address.<sup>1</sup> According to the UC and e-mail

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<sup>1</sup> Representative 1 is associated with the Target Websites Acetaminophenbutalbital and Buyfioricetnow.

communications, Representative 1 directed the UC to make payment in the amount of \$449.00 to Zelle Account 1.<sup>2</sup> After the UC sent the payment, Representative 1, sent the UC a tracking number for the order via e-mail.

13. On or about October 30, 2024, law enforcement recovered one USPS Priority Mail shipping envelope from the UC Address in Chicago, which was labeled with the same tracking number that Representative 1 had sent to the UC. According to a search of the envelope, it contained numerous loose, round blue pills stamped with “K9” inside of a vacuum-sealed plastic bag. Based on my training and experience, pills shipped in this manner can indicate that the pills were created through a pill press operation.<sup>3</sup> According to test results from the DEA North Central laboratory, the pills tested positive for the presence of ketamine (2-(2-chlorophenyl)-2-(methylamino)-cyclohexanone), a Schedule III controlled substance, and weighed approximately 9 grams. A photograph of the narcotics appears below:

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<sup>2</sup> According to records from Early Warning Services, LLC (d/b/a Zelle), Zelle Account 1 was established in the name of “L.K.” with an address in Oakland Park, Florida. Law enforcement is still investigating the connection between Zelle Account 1 and BATISTA.

<sup>3</sup> Based on my training and experience, I know that drug traffickers use pill presses to press fentanyl into pills and use punches and dies to imprint markings and logos onto those pills. This process produces pills that look like legitimate prescription medication, such as oxycodone, Xanax, and Adderall, when those pills actually contain fentanyl, methamphetamine, and other potentially deadly narcotics.



14. According to surveillance footage obtained by the United States Postal Inspection Service (“USPIS”), on or about October 23, 2024, at approximately 10:56 p.m. EDT, a male individual mailed multiple USPS Priority Mail shipping envelopes, including the UC’s parcel, at a USPS self-service kiosk located at 5500 N. Bailey Ave, in Buffalo, New York. I compared the images of the individual who mailed the envelopes to BATISTA’s New York driver’s license photograph which I obtained from a law enforcement database. Based on this comparison, I believe that BATISTA was the person who shipped the parcel to the UC, as reflected below:





15. According to USPIS records, during the same time that BATISTA mailed the package to the UC, BATISTA mailed approximately 30 additional similar envelopes to individuals located throughout the United States.

**b. October 31, 2024, BATISTA Distributed Fake Oxycodone Pills to the UC**

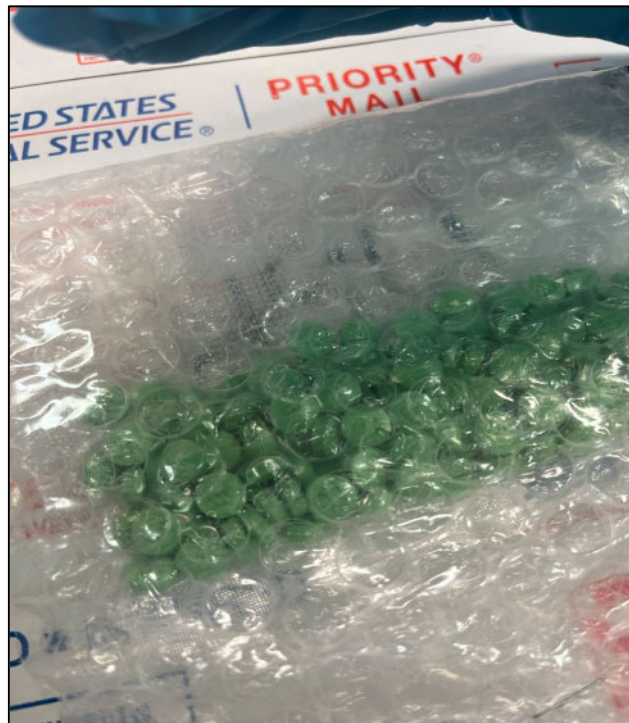
16. On or about October 22, 2024, the UC placed an order for 180 Oxycodone pills via Target Website Healthcareshopy. After the UC placed the order, the UC communicated via WhatsApp text message with Representative 2. The UC provided a UC Address in Chicago to receive the shipment of Oxycodone. According to the UC and WhatsApp text messages, Representative 2 then instructed the UC to make a payment in the amount of \$500.00 to Zelle Account 2.<sup>4</sup> After the UC sent the payment, Representative 2 sent a WhatsApp text message to the UC that contained a tracking number for the order.

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<sup>4</sup> According to records from Early Warning Services, LLC (d/b/a Zelle), Zelle Account 2 was established in the name of "L.A." with an address in Las Vegas, Nevada. Law enforcement is still investigating the connection between Zelle Account 2 and BATISTA.

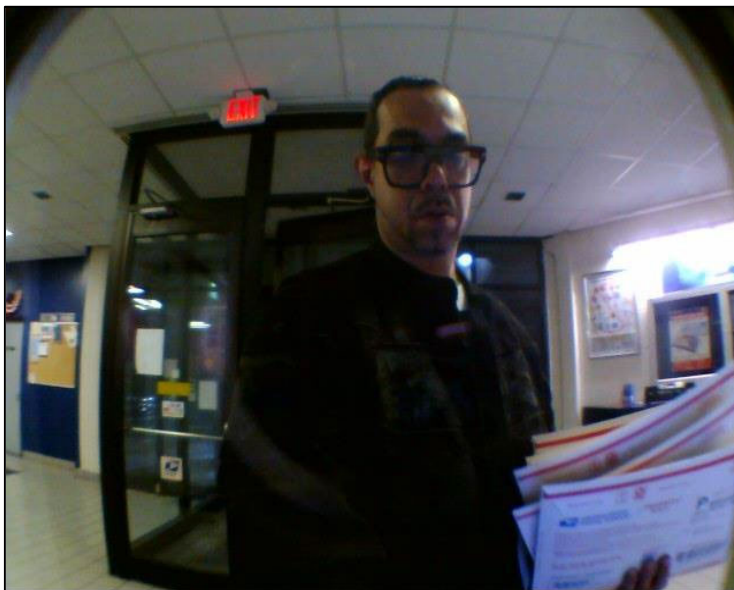


17. On or about October 31, 2024, law enforcement recovered one USPS Priority Mail shipping envelope from the UC Address in Chicago, which was labeled with the same tracking number that Representative 2 had provided to the UC. According to a search of the envelope, it contained numerous loose, round green pills stamped with “OP/80” inside of a vacuum-sealed plastic bag. Based on my training and experience, I know that pills shipped in this manner can indicate that the pills were created through a pill press operation. According to test results from the DEA North Central laboratory, the pills that BATISTA distributed to the UC on or about October 25, 2024, tested negative for any controlled substances. A photograph of the pills appears below:



18. According to surveillance footage obtained by the USPIS, on or about October 25, 2024, at approximately 6:53 p.m. EST, BATISTA mailed multiple USPS

Priority Mail shipping envelopes, including the UC's parcel, through a USPS kiosk located at 2391 Baseline Road, Grand Island, New York. BATISTA's image was once again captured at the kiosk and matches BATISTA's known driver's license photo:



19. According to records from the USPIS, at the same time that BATISTA mailed the shipping envelope related to the UC's controlled purchase, BATISTA also mailed approximately 35 additional similar shipping envelopes to individuals located throughout the United States.

**c. November 12, 2024, BATISTA Distributed Approximately 53.9 Grams of Fentanyl to the UC**

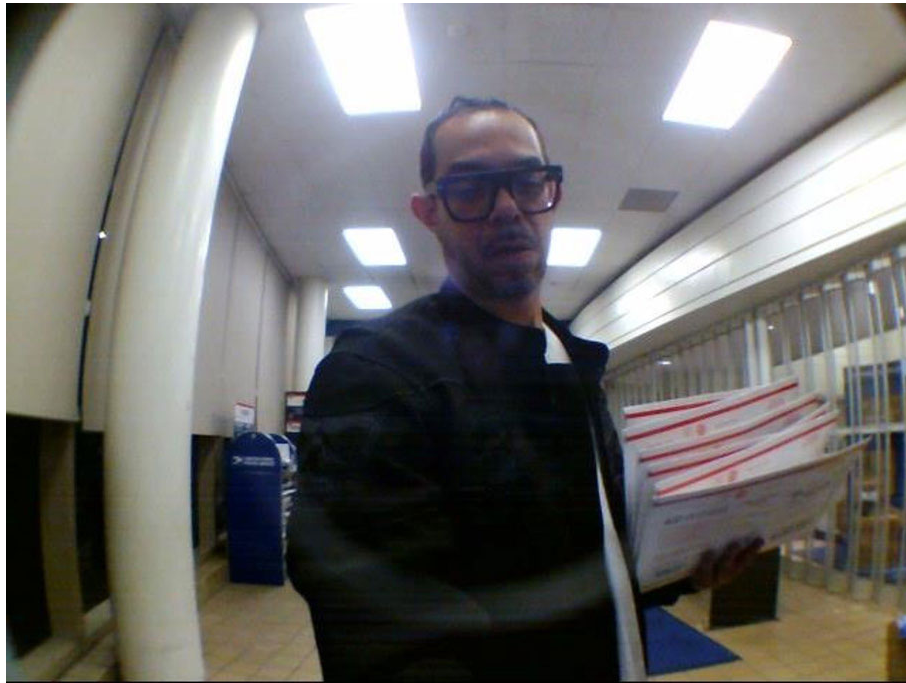
20. On or about November 2, 2024, the UC placed an order for 540 Oxycodone pills via Target Website Acetaminophenbutalbital. After the UC placed the order, the UC communicated via e-mail with Representative 1 and provided a UC Address in Chicago. According to the UC and e-mail ,communications Representative 1 then directed the UC to make payment in the amount of \$2,700.00 to Zelle Account 1.

A few days after the UC made the payment, Representative 1 sent the UC three tracking numbers via e-mail.

21. On or about November 12, 2024, law enforcement recovered three USPS Priority Mail shipping envelopes from the UC Address in Chicago, which were labeled with the same tracking numbers that Representative 1 had provided to the UC. According to a law enforcement search, the envelopes contained numerous loose, round blue pills stamped with “K9” inside of a vacuum-sealed plastic bag. Based on my training and experience, I know that pills shipped in this manner (*i.e.* distributed in multiple smaller mailings) can be an indication of tactics to evade law enforcement detection, and that pills such as these were most likely created through a pill press operation. According to test results from the DEA North Central laboratory, the pills that BATISTA distributed to the UC on November 12, 2024, tested positive for the presence of fentanyl and ketamine, with a combined weight of approximately 53.9 grams. Photographs of the narcotics are below:



22. According to surveillance footage obtained by the USPIS, on or about November 5, 2024, at approximately 8:55 p.m. EDT, BATISTA mailed multiple USPS Priority Mail shipping envelopes, including the UC's parcel, through a USPS kiosk located at 285 Cayuga Road, in Buffalo, New York. BATISTA's image was again captured at the kiosk and matches BATISTA's known driver's license photo:



23. According to records from the USPIS, at the same time that BATISTA mailed the shipping envelope to the UC Address, BATISTA also mailed approximately 22 similar shipping envelopes to individuals located throughout the United States.

**d. BATISTA Mailed Other Packages Suspected to Contain Controlled Substances**

24. On or about December 3, 2024, United States Magistrate Judge for the Western District of New York Michael J. Roemer, authorized a vehicle tracker warrant for a vehicle that law enforcement observed BATISTA driving to and from



post offices, specifically a black 2020 Honda Pilot with New York registration number LNE7350 registered to “Edwin M. Batista” with an address of 1\*\*\* Fashion Outlet B024, Niagara Falls, New York, 14304 (the “Subject Vehicle”) *See* 24 MJ 5200 (W.D.N.Y.).<sup>5</sup> According to a search of publicly available sources, this address is the address for a self-service storage facility called “Extra Space Storage.” According to physical surveillance and surveillance video, between approximately November 2024 through January 2025, BATISTA has entered and exited the self-storage facility on numerous occasions with large boxes and other unidentified items. According to records from Extra Space Storage, BATISTA currently leases storage unit number B024 (the “Subject Storage Unit”).

25. Based upon information obtained from the vehicle tracker, law enforcement located the Subject Vehicle in the Buffalo, New York metro area, and then conducted physical surveillance on BATISTA. During surveillance, law enforcement observed BATISTA travel to several U.S. post office locations in the metro Buffalo, New York area. During the surveillance operation, law enforcement intercepted a parcel that BATISTA mailed, which was destined for an individual located in North Carolina. Law enforcement obtained a search warrant for the parcel and according to a law enforcement search, the parcel contained approximately 36 blister packs that each contained pills.<sup>6</sup> According to test results from the Northeast

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<sup>5</sup> The application and affidavit supporting search warrant 24 MJ 5200 can be made available to the Court upon its request.

<sup>6</sup> *See* 24 MJ 5235, Hon. Michael J. Roemer, Western District of New York

Laboratory, the pills tested positive for Carisoprodol, a Schedule IV controlled substance.

26. I have reviewed location information for the Subject Vehicle and identified numerous dates and times that the Subject Vehicle traveled to and/or was located at U.S. post offices in the metro Buffalo, New York area. According to surveillance images and mailing records from USPIS, I confirmed that when the Subject Vehicle was at or near a post office location, BATISTA was captured on post office kiosk surveillance video mailing postal shipping envelopes addressed to individuals located throughout the United States. More specifically, according to postal mailing records and surveillance video, from approximately December 11, 2024, through January 11, 2025, BATISTA mailed approximately 1,248 shipping envelopes addressed to individuals located throughout the United States. The chart below details the Post Office location and number of shipping envelopes mailed by BATISTA during this time period:

<b>Post Office Location</b>	<b>Number of Mailings</b>
Williamsville	363
La Salle	269
Amherst	163
Cheektowaga	136
Buffalo	122
Cayuga Retail	114
Grand Island	81
<b>TOTAL</b>	<b>1,248</b>

27. Based on my review of postal mailing records and surveillance footage, at times, BATISTA traveled to post office locations during early hours in the day and

frequented numerous post office locations on the same day. For example, on or about January 8, 2025, from approximately 5:20 a.m. to 5:31 a.m., BATISTA traveled to a post office located at 5325 Sheridan Drive, Buffalo, New York and mailed approximately 77 shipping envelopes. Approximately two days later, or on or about January 10, 2025, from approximately 4:10 a.m. to 4:12 a.m., BATISTA mailed approximately 6 shipping envelopes from a Post Office located at 285 Cayuga Road in Buffalo, New York. Approximately 25 minutes later, BATISTA traveled to a post office located at 5325 Sheridan Drive, Buffalo, New York and mailed approximately 48 additional shipping envelopes. Based on my training and experience, my knowledge of the investigation, and the knowledge of other agents familiar with the investigation, I believe that BATISTA traveled to various post offices to distribute narcotics via the U.S. postal system and did so while attempting to avoid law enforcement detection.

**e. January 28, 2025, Law Enforcement Seizes Suspected Narcotics from BATISTA's Storage Unit**

28. According to pole camera footage, vehicle tracker information, and law enforcement surveillance, on or about January 28, 2025, at approximately 8:23 a.m. EST, BATISTA and Individual A arrived at Extra Space Storage. BATISTA was driving the Subject Vehicle and Individual A was the passenger. At approximately 8:43 a.m. EST, BATISTA and Individual A entered the Subject Storage Unit. At approximately 9:38 a.m. EST, law enforcement executed a search warrant on the



Subject Storage Unit and seized a significant amount of suspected narcotics.<sup>7</sup> Specifically, law enforcement seized pills marked with “M30” that were consistent with, and packaged in a similar manner to, controlled substances that law enforcement seized from the UC address in Chicago on November 12, 2024. A photo of some of the narcotics seized from the Subject Storage Unit on January 29, 2025, which are similar in appearance and packaging to the narcotics seized from the UC Address in Chicago on November 12, 2024, appears below:



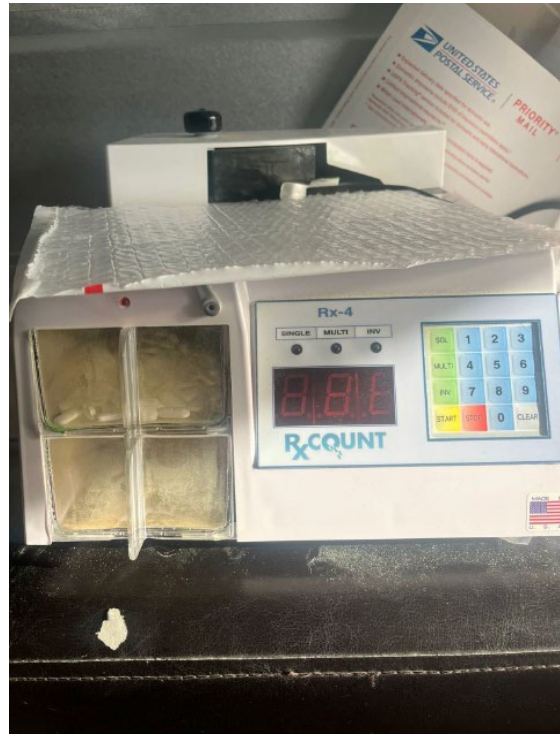
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<sup>7</sup> 25 MJ 31, Hon. H. Kenneth Schroeder, Jr., Western District of New York.

29. Based on my training and experience, my knowledge of the investigation, and the knowledge investigation of other law enforcement agents, I believe the pills seized from the Subject Storage Unit on or about January 28, 2025, are pills that contained counterfeit Schedule IV controlled substances which BATISTA intended to distribute, such as Xanax, Adderall, and Oxycodone. Moreover, I know that blue M30 pills are referred to by drug traffickers as “blues” and often contain fentanyl or analogues of fentanyl.

30. As of the time of this affidavit, law enforcement is still completing an inventory of the pills seized from the Subject Storage Unit. At this time, I believe that the number of pills seized exceeds 100,000. Initial field tests for the suspected narcotics have been inconclusive and law enforcement submitted samples of the seized pills for laboratory testing on or about January 29, 2025.

31. During the seizure, law enforcement also seized a significant amount of packaging from the Subject Storage Unit that was consistent with the packaging BATISTA used to mail the parcels that contained narcotics to the UC address in Chicago, as described above. Additional photos taken during the January 28, 2025 search warrant execution appear below:



32. Based on the foregoing, there is probable cause to believe that on November 12, 2024, EDWIN MIGUEL BASTISTA knowingly and intentionally distributed a quantity of a mixture and substance containing a detectable amount of fentanyl (N-penyl-N-[1-(2-phenylethyl)-4-piperidinyl] propenamide), a Schedule II Controlled Substance, in violation of 21 U.S.C. § 841(a)(1).fentanyl, in violation of Title 21, United States Code, Section 841(a)(1).


FURTHER AFFIANT SAYETH NOT.



CHEVON MARSH

Task Force Officer, Drug Enforcement  
Administration

SWORN TO AND AFFIRMED by telephone January 30, 2025.



Honorable Heather K. McShain  
United States Magistrate Judge